

BILL NO. 36-0123

Thirty-Sixth Legislature of the Virgin Islands

July 23, 2025

An act amending title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 making it unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his blood to operate a commercial motor vehicle, and making it unlawful for a person under the age of 21 years who has any detectable amount of alcohol in his blood, to operate a motor vehicle

PROPOSED BY: Senator Ray Fonseca

Be it enacted by the Legislature of the Virgin Islands:

SECTION 1. Title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 is amended as follows:

(a) In subsection (a), add the following new paragraphs (3) and (4):

“(3) Notwithstanding paragraph (2), it is unlawful for any person who has 0.04 percent or more, by weight, of alcohol in his blood to drive, operate, or be in actual physical control of, a commercial motor vehicle.

(4) Notwithstanding paragraph (2), it is unlawful for any person under the age of 21 years who has any detectable amount of alcohol in his blood to drive, operate, or be in actual physical control of, any motor vehicle.”

(b) In subsection (c), add the following new paragraph (4):

“(4) Notwithstanding paragraph (1), any person convicted of violating subsection (a)(4), shall have his driver’s license suspended for 12 months. If the person does not

possess a driver's license, the issuance of a driver's license shall be suspended for 12 months".

(c) Add the following subsection (g):

"(g) The term "commercial motor vehicle" as used in subsection (a)(3) means any self-propelled or towed vehicle used on public highways in intrastate commerce to transport passengers or property when:

(1) the vehicle has a gross vehicle weight rating or gross vehicle weight of at least 10,001 pounds, whichever is greater; or

(2) the vehicle is designed to carry eight or more passengers, including the driver but not including any commercial motor vehicle licensed, registered and regulated by the Virgin Islands Taxicab Commission; or

(3) the vehicle is used in the transportation of materials found by the Virgin Islands Police Department or the Bureau of Motor Vehicles to be hazardous for the purpose of the Hazardous Materials Act (49 U.S.C. sec. 5101 et seq. and transported in a quantity requiring placarding under regulations prescribed by the Secretary of the United States Department of Transportation."

BILL SUMMARY

This bill amends title 20 Virgin Islands Code, part II, chapter 43, subchapter I, section 493 by making it unlawful for a person who has 0.04 percent or more, by weight, of alcohol in his blood to operate a commercial vehicle, and making it unlawful for a person under the age of 21 years who has any detectable amount of alcohol in his blood, to operate a motor vehicle.

BR25-0668/July 21, 2025/GC